REMARKS

By the foregoing amendments the specification has been amended on page 23 to note that the "heel portion" of the foot keel is also referred to in the application as the "hindfoot portion" identified by reference numeral 4 in Figure 3, as stated on page 6, line 7. Claims 1, 3, 5, 6, 7, 12, 13, 20, 21 and 23 have been amended. Thus, claims 1-23 remain in the application.

Claims 3, 4, 6, 12, 15, and 21 were objected to in the Office Action as being dependent upon a rejected base claim, but it was stated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Responsive to this objection and indication of allowable subject matter, by the above amendments claims 3, 6, 12 and 21 have been rewritten in independent form to include the limitations of the claims from which they previously depended. In view of these changes, it is respectfully submitted that claims 3 and 4, which depends from claim 3, claim 6, claim 12 and claims 21 and 22 are in condition for allowance. Reconsideration and allowance of these claims is respectfully requested.

Claims 1, 2, 5, 7-9, 11, 13, 14, 16 and 18-20 were rejected in the Office Action under 35 U.S.C. §102(b) as being anticipated by Carter, U.S. 2,453,969, as stated on pages 3 and 4 of the Office Action. Claims 10 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatenable over Carter as stated on page 4 of the Office Action. These rejections are hereby traversed and reconsideration thereof is respectfully requested in view of the above amendments to the claims and Applicants remarks set forth below.

The improved prosthetic foot and calf shank for prosthetic foot of the present invention as recited in the claims as amended include features of the embodiment of Figures 28-30 of the application drawings. From Figure 28, it can be seen that the calf shank for a prosthetic foot of the invention comprises an elongated, semi-rigid resilient member having one, lower end in the form of a spiral for attachment to a foot keel to form an ankle joint area of the prosthetic foot, and an opposite, substantially vertically oriented upstanding upper end for connection with a supporting structure on an amputee's leg, the member extending substantially vertically upward anteriorly and curvilinearly with an progressively increasing radius of curvature from the spiral at the one, lower end toward said opposite substantially vertically oriented upstanding upper end to form a resilient lower prosthetic part of a leg above the ankle joint area.

The prosthetic foot of the invention as recited in claim 1 as amended comprises a longitudinally extending foot keel having forefoot, midfoot and hindfoot portions, and a resilient calf shank secured to the foot keel at a lower end thereof and extending upwardly from the foot keel defining an integrated ankle joint area and lower prosthetic part of a leg. The lower end of the calf shank is in the form of a spiral above the hindfoot portion of the foot keel. The calf shank extends substantially vertically upward anteriorly from the spiral to an upstanding upper end thereof. As recited in claim 13 as amended, the foot keel is a longitudinally extending, resilient foot keel having a forefoot portion at one end, a hindfoot portion at an opposite end and an upwardly arched midfoot portion extending between the forefoot and hindfoot portions. The lower end of the calf shank in the prosthetic foot is in the form of a spiral

above the hindfoot portion of the foot keel, the calf shank extending upward anteriorly from the spiral to the upper end thereof.

The patent to Carter does not disclose, 35 U.S.C. §102, or render obvious, 35 U.S.C. §103, the prosthetic foot and calf shank of the present invention as recited in the claims as amended. The artificial limb of Carter has two coils 5 and 6, one in front of another. These coils are located over the forefoot and midfoot. The shank member above the coils is a rigid hollow core with rigid bolts 13, 14. It is not a resilient member. Carter's resilient mass is in the foot section only. The proximal end of the coils 5 and 6 are horizontally oriented and do not store and release energy from midstance to toe off. The calf shank in Carter is a hollow core device with rigid bolts through its center as noted above. Carter does not disclose or suggest a calf shank having a lower end in the form of a spiral located over the hindfoot portion of the foot keel. The spirals 5 and 6 are located over the forefoot and midfoot regions of the foot keel. Carter does not disclose or suggest a calf shank extending substantially vertically upward anteriorly from the spiral to a resilient upstanding upper end as in Applicants' invention. Carter's structure functions as a loading response vertical shock absorber wherein the upper horizontal member moves vertically downwards toward the foot keel. In contrast, in the calf shank and prosthetic foot of the invention the resilient calf shank is flexible in the longitudinal direction for storing and releasing energy in both a loading response and midstance to toe off phases of gait.

In view of the amendment it is respectfully submitted that the claims as amended patentably define over the cited reference to Carter. Accordingly, reconsideration and allowance of the claims as amended is requested.

A Petition for Extension of Time to permit the timely filing of this amendment is enclosed.

Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (Case No. 183.39735AX4) and please credit any excess fees to such deposit account.

Respectfully submitted,

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RJS/kmh
Attachments